

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

SECOND APPEAL NO. 290 OF 1993
WITH
CIVIL APPLICATION NO.7465 OF 2002
IN SA/290/1993

BHIKAJI PANDURANG KATALE & ANOTHER.
VERSUS
LIMBAJI GOVINDRAO KATALE & OTHERS.

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Advocate for the Appellants : Shri M.L.Dharashive.
Advocate for Respondents 1 to 3 : Shri C.R.Deshpande.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 25th January, 2018

Per Court:

1 The learned Advocate for the Appellants had placed on record the notice dated 05.01.2018 issued by him to the Appellants, through Speed Post, stating therein that as the Appellants had already taken no objection from him for engaging a new advocate, he would be seeking discharge as the matter appears on the Board showing his name as Advocate for the Appellants. The copy of the printout of the tracking report from the website of the Indian Post is also placed on record indicating that the envelope was delivered to the Appellants on 10.01.2018 at 16 hours.

2 Copies of the notice of Shri Dharashive, learned Advocate as

well as the tracking report are taken on record and collectively marked as "X" for identification.

3 Based on the above situation, I had granted almost three weeks time to the Appellants to appoint a new Advocate by an order dated 04.01.2018.

4 Considering the above and in the light of the statement that the Appellants have taken no objection of Shri Dharashive and have not appointed a new Advocate in his place, this Second Appeal is dismissed for non prosecution.

5 The pending Civil Application does not survive and stands disposed of.

kps

(RAVINDRA V. GHUGE, J.)